

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Angelo Finley,

Civil No. 11-1102 (RHK/JSM)

Petitioner,

**ORDER**

v.

Thomas Roy, Commissioner of Corrections,

Respondent.

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The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated May 19, 2011. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and upon all of the files, records and proceedings herein, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 5) is **ADOPTED**;
2. Petitioner s application for a writ of habeas corpus (Doc. No. 1) is **DENIED**;
3. Petitioner s application for leave to proceed in forma pauperis (Doc. No. 4) is **DENIED**;
4. Petitioner is **NOT** granted a Certificate of Appealability; and
5. This action is **DISMISSED WITHOUT PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: June 20, 2011

s/Richard H. Kyle  
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RICHARD H. KYLE  
United States District Judge